

Exhibit 1



SOCIAL SECURITY ADMINISTRATION

Refer To: Representation

Office of Hearings and Appeals
 301 Howard Street
 3rd Floor
 San Francisco, CA 94105
 Tel: (415)744-3080 / Fax: (415)744-2548

August 31, 2007

Lucille Gonzales Meis, Regional Chief Counsel
 Office of the Regional Counsel, Region IX
 Social Security Administration
 333 Market St.; Suite 1500
 San Francisco, CA 94105

Social Security Admin.
 RECEIVED

SEP - 4 2007

Office of the
 General Counsel

Attn: Armand D. Roth
 Assistant Regional Counsel

Re: Request for Representation of Individual Defendant in Cheryl Johnson Nemes v. Benjamin F. Parks et al., Superior Court of California, County of San Francisco, CGC-07-465693

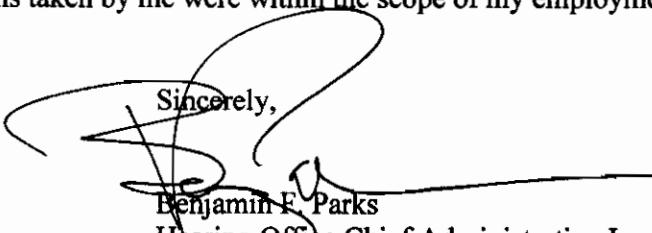
Dear Ms. Meis:

I hereby request that the Department of Justice provide representation to me, Benjamin F. Parks, Hearing Office Chief Administrative Law Judge (HOCALJ) in the Social Security Administration (SSA), Office of Disability Adjudication and Review in San Francisco, who has been named as a defendant in the above-titled action.

The complaint was served on our San Francisco hearing office on or about August 1, 2007. The complaint was forwarded to the Office of the General Counsel, which, in turn, notified the United States Attorney's Office in San Francisco.

Our records indicate that Plaintiff filed an application for inclusion in SSA's Plan for Achieving Self Support (PASS) program, and that her application was denied initially, upon reconsideration and at the hearing level. Plaintiff's appeal to the Appeals Council, filed August 23, 2007, is pending.

It appears that Plaintiff has named me a defendant in my capacity as HOCALJ because I denied her application. I have no personal connection with this Plaintiff. My only involvement with this Plaintiff and any actions taken by me were within the scope of my employment.



Sincerely,

Benjamin F. Parks
 Hearing Office Chief Administrative Law Judge
 San Francisco Region IX

Exhibit 2



SOCIAL SECURITY ADMINISTRATION

**2500 Hilborn Rd., Suite A
Fairfield, CA 94533
(707) 425-8099**

August 28, 2007

Lucille Gonzales Meis, Regional Chief Counsel
Office of the Regional Counsel, Region IX
Social Security Administration
333 Market St.; Suite 1500
San Francisco, CA 94105

Attn: Armand D. Roth
Assistant Regional Counsel

Re: Request for Representation of Individual Defendant in
Cheryl Johnson Nemes v. Benjamin F. Parks et al.,
Superior Court of California, County of San Francisco,
CGC-07-465693

Dear Ms. Meis:

I have been named as a defendant in the above-titled action and hereby request that the Department of Justice provide representation to me, Levardis Smith, who previously worked as Scheduler for Hearing Office Chief Administrative Law Judge (HOCALJ) Parks in the Social Security Administration (SSA), Office of Disability Adjudication and Review in San Francisco.

The complaint was served on our San Francisco hearing office on or about August 1, 2007. The complaint was forwarded to the Office of the General Counsel, which, in turn, notified the United States Attorney's Office in San Francisco.

The record indicates that Plaintiff filed an application for inclusion in SSA's Plan for Achieving Self Support (PASS) program, and that her application was denied initially, upon reconsideration and at the hearing level. Plaintiff's appeal to the Appeals Council, filed August 23, 2007, is pending.

It appears that Plaintiff has named me a defendant in my capacity as Scheduler for the HOCALJ who denied her application. I have no personal connection with this Plaintiff. My only involvement with this Plaintiff and any actions taken by me were within the scope of my employment.

Sincerely,

A handwritten signature in black ink, appearing to read "Levardis Smith".

Levardis Smith
Service Representative
Fairfield Field Office,
Region IX

Exhibit 3



SOCIAL SECURITY ADMINISTRATION

Refer To:

Office of Disability Adjudication and Review
 301 Howard Street
 3rd Floor
 San Francisco, CA 94105
 Tel: (415)744-3080 / Fax: (415)744-2548

August 28, 2007

Lucille Gonzales Meis, Regional Chief Counsel
 Office of the Regional Counsel, Region IX
 Social Security Administration
 333 Market St.; Suite 1500
 San Francisco, CA 94105

Attn: Armand D. Roth
 Assistant Regional Counsel

Re: Request for Representation of Individual Defendant in Cheryl Johnson Nemes v. Benjamin F. Parks et al., Superior Court of California, County of San Francisco, CGC-07-465693

Dear Ms. Meis:

I request that the Department of Justice provide representation to Levardis Smith, who previously worked as Scheduler for Hearing Office Chief Administrative Law Judge (HOCALJ) Parks in the Social Security Administration (SSA), Office of Disability Adjudication and Review in San Francisco, and who has been named as a defendant in the above-titled action.

The complaint was served on our San Francisco hearing office on or about August 1, 2007. The complaint was forwarded to the Office of the General Counsel, which, in turn, notified the United States Attorney's Office in San Francisco.

Our records indicate that Plaintiff filed an application for inclusion in SSA's Plan for Achieving Self Support (PASS) program, and that her application was denied initially, upon reconsideration and at the hearing level. Plaintiff's appeal to the Appeals Council, filed August 23, 2007, is pending.

Our records indicate that HOCALJ Parks issued the decision denying Plaintiff's application. Plaintiff appears to have named Mr. Smith as a defendant because he assisted HOCALJ Parks. Mr. Smith has executed a request seeking representation by the United States Department of Justice. We believe that representation is warranted and endorse his request for representation.

Sincerely,

Emily Montuya
 Hearing Office Director
 San Francisco Region IX

Exhibit 4

ORIGINAL
FILED
07 AUG 31 PM 2:05
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 SCOTT N. SCHOOLS (SC 9990)
United States Attorney
2 JOANN M. SWANSÖN (CSBN 88143)
Assistant United States Attorney
3 Chief, Civil Division
JENNIFER S. WANG (CSBN 233155)
4 Assistant United States Attorney

5 450 Golden Gate Avenue, Box 36055
San Francisco, California 94102
6 Telephone: (415) 436-6967
Facsimile: (415) 436-6748
7 Email: jennifer.s.wang@usdoj.gov

8 Attorneys for Federal Defendant
Benjamin F. Parks

9

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 CHERYL JOHNSON NEMES, } Case No. C 07-4514 JSW
14 Plaintiff, }
15 v. }
16 BENJAMIN F. PARKS, and DOES 1 TO 100, }
17 Defendants. }
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19
20 I, Joann M. Swanson, hereby certify as follows:

21 1. I am the Chief of the Civil Division of the United States Attorney's Office for the
22 Northern District of California. Pursuant to written delegation from Scott N. Schools, the duly
23 appointed United States Attorney for the Northern District of California, I have been authorized to
24 exercise on behalf of the United States Attorney the authority vested in him by the Attorney General,
25 pursuant to 28 C.F.R. § 15.3, to certify pursuant to 28 U.S.C. § 2679(d) that a federal employee named
26 as a defendant in a civil action was acting within the course and scope of his or her employment with
27 reference to the matters alleged in the suit.

28 Certification Pursuant to
28 U.S.C. § 2679(d) - Parks

1 2. I have reviewed the complaint in the above-captioned action. On the basis of that
2 complaint and certain other information provided to me, pursuant to the provisions of 28 U.S.C.
3 § 2679(d) and by virtue fo the authority vested in me as set forth above, I hereby certify that Benjamin
4 F. Parks was acting within the course and scope of his employment as an administrative law judge.

5
6 Dated: August 31, 2007

By:


JO ANN M. SWANSON
Assistant United States Attorney

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Certification Pursuant to
28 U.S.C. § 2679(d) - Parks